



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 21, 2018

MICHAEL KENNEDY, TREASURER  
VMWARE, INC. POLITICAL ACTION  
COMMITTEE (VMWARE PAC)  
3401 HILLVIEW AVE  
PALO ALTO, CA 94304

**Response Due Date**  
**02/26/2018**

IDENTIFICATION NUMBER: C00477299

REFERENCE: YEAR-END REPORT (12/01/2017 - 12/31/2017)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 52 U.S.C. §30116(a) (formerly 2 U.S.C. §441a(a)) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A

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supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration. (11 CFR §103.3(b)(1) and (3))

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit the Reports Analysis Division's Frequently Asked Questions on the FEC website. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1164.

Sincerely,



Nicole Miller  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

**Excessive Contributions****VMWARE, INC. POLITICAL ACTION COMMITTEE (VMWARE PAC) (C00477299)****Excessive Contributions to a Candidate/Committee with an Affiliated Committee**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Report</b>	<b>Contributing Affiliate</b>
Swalwell For Congress	6/13/17	\$4,000.00	P2018	2017 Mid-Year	C00369751
Swalwell For Congress	6/27/17	\$1,000.00	P2018	2017 July Monthly	C00477299
Swalwell For Congress	12/21/17	\$1,000.00	P2018	2017 Year-End	C00477299
Cory Booker For Senate	6/13/17	\$5,000.00	P2020	2017 Mid-Year	C00369751
Cory Booker For Senate	12/13/17	\$2,500.00	P2020	2017 Year-End	C00477299
Walters For Congress	6/13/17	\$5,000.00	P2018	2017 Mid-Year	C00369751
Walters For Congress	12/21/17	\$1,000.00	P2018	2017 Year-End	C00477299